



DEPARTMENT OF THE ARMY

ST. PAUL DISTRICT, CORPS OF ENGINEERS

ARMY CORPS OF ENGINEERS CENTRE

190 FIFTH STREET EAST

ST. PAUL, MN 55101-1838

REPLY TO
ATTENTION OF

MAY 30 2001

Construction-Operations
Regulatory (01-03758-TJF)

Mr. Robert Obermeyer
Barr Engineering Company
4700 West 77th Street
Minneapolis, Minnesota 55435-4803

Dear Mr. Obermeyer:

We have reviewed information about a project of the City of Ramsey to fill 0.41 acre of wetland during the construction of the Sunwood Drive crossing of State Protected Wetland 673W. The project site is west of Sunfish Lake Boulevard in the E 1/2 Sec. 27, T. 32N., R. 25W., Anoka County, Minnesota.

This jurisdictional determination takes into consideration the U.S. Supreme Court's decision in Solid Waste Agency of Northern Cook County v. Corps of Engineers (the SWANCC decision). The area encompassed by this jurisdictional determination is a waterbody/wetland (SPW 673W) that is approximately 2.5 acres in size, according to DNR mapping.

The subject water body is not a "water of the United States" because it is: (1) not a navigable water, (2) not an interstate water, (3) not part of a tributary system to 1 or 2, (4) not a wetland adjacent to any of the foregoing, and not an impoundment of any of the above. In addition, the interstate commerce nexus to this particular waterbody is insufficient to establish Clean Water Act jurisdiction. This waterbody is therefore not subject to regulation by the Corps of Engineers under Section 404 of the Clean Water Act.

This jurisdictional determination is valid only for the proposed Sunwood Drive crossing of SPW Wetland 673W. It is based on the Headquarters guidance available to us at this time.

PLEASE NOTE THAT THIS LETTER DOES NOT ELIMINATE THE NEED FOR OTHER FEDERAL, STATE, LOCAL, OR OTHER AUTHORIZATIONS, such as those needed under DNR or WCA jurisdiction.



If you have any questions, contact Timothy J. Fell in our St. Paul office at (651) 290-5360. In any correspondence or inquiries, please refer to the Regulatory number shown above.

Sincerely,


Robert J. Whiting
Chief, Regulatory Branch

Copy furnished to: Kjolhaug Env.
City of Ramsey
DNR